

TITLE 26: ELECTIONS
CHAPTER I: STATE BOARD OF ELECTIONS

PART 212
PERSONNEL

Section

212.210	Introduction
212.214	Position Classification and Compensation
212.218	Application and Appointment
212.222	Work Schedule and Attendance
212.226	Continuous Service
212.230	Personnel Records and Performance Reviews
212.234	Probationary Status
212.238	Promotion
212.242	Employee Transfer
212.246	Demotion
212.250	Layoff
212.254	Voluntary Reduction
212.258	Resignation and Reinstatement
212.262	Employee Conduct
212.266	Discipline and Discharge
212.270	Grievance Procedure
212.274	Sick Leave
212.278	Vacation Leave
212.282	Leave for Personal Business
212.286	Leaves of Absence
212.290	Holidays
212.294	Overtime
212.298	Interpretation and Application of Rules
212.299	Savings Clause

AUTHORITY: Implementing Section 1A-12 of the Illinois Election Code [10 ILCS 5/1A-12] and authorized by Section 1A-8(9) of the Illinois Election Code [10 ILCS 5/1A-8(9)].

SOURCE: Adopted by emergency rulemaking at 29 Ill. Reg. 5534, effective March 31, 2005, for a maximum of 150 days; adopted at 29 Ill. Reg. 13754, effective August 25, 2005; amended at 36 Ill. Reg. 16785, effective November 16, 2012; amended at 39 Ill. Reg. 6712, effective April 22, 2015; amended at 42 Ill. Reg. 5024, effective February 28, 2018; amended at 46 Ill. Reg. _____, effective _____.

Section 212.218 Application and Appointment

a) Applications for Employment

- 1) Notice: Positions shall be advertised in both the Springfield office and the Chicago office by posting, unless the Executive Director directs otherwise. Other recruitment methods may be used as deemed appropriate.
- 2) Submission of Application:
 - A) Persons seeking employment must submit an application, resume or other documents demonstrating education and experience.
 - B) Employees seeking positions within the Office must apply in writing to the Director of the organizational unit in which the desired position is located. The Director shall submit copies of applications received to the Executive Director and the Director of Administrative Services.
- 3) Screening of Applicants:
 - A) Interviews: Directors or their designees are responsible for screening applications for non-Executive Employee positions. Interviews may be conducted as part of the screening process. Interviews shall be conducted by the Director of the organizational unit, or his or her designee, the Director of Administrative Services or his or her designee, and either the Human Resources Manager or another appropriate staff person chosen by either the Executive Director or the Director of Administrative Services. In any event, a minimum of two members of the interview panel must have successfully completed the course for Rutan certification.
 - B) Executive Employee Interviews: The Board shall conduct interviews for the positions of Executive Director, Assistant Executive Director, General Counsel and Director.
 - C) Examinations: The Executive Director may require any applicants for any positions, including positions mentioned in subsection (a), to take examinations as a means to assess knowledge, skills and the ability to perform the duties of the position.
- 4) Criteria for Selection:

- A) Selection may be based on education, experience, interviews, references, and examinations, if conducted. Other factors, such as experience within the Office, may also be considered.
- B) Pre-employment screening of applicants may include, but is not limited to, background checks and routine reference verifications.
- C) If, following the screening process, the Director desires to place an applicant in a position, the Director shall submit his or her recommendation to the Executive Director for final action, including the decision not to fill the position.
- D) A central file of all applicants who applied for or were considered for a position, along with appropriate supporting material, shall be maintained in the Office of Administrative Services for a minimum of three years from the date the position is filled or a decision to not fill the position is made.

b) Appointment

- 1) Notice of Appointment: Upon approval of the Executive Director, the Director of Administrative Services shall notify applicants in writing of their appointment to a position. The notification shall state the position classification, work location, starting salary, and beginning date of employment, all contained in a conditions of employment agreement that shall be signed by all new appointees. Appointments become effective upon the applicant's reporting for work at the place and time designated in the notification.
- 2) Types of Appointment: The following types of appointments may be made by the Executive Director or a Director, subject to the concurrence of the Executive Director.
 - A) Probationary Employees: All appointments for newly hired employees shall be subject to the employee's performance through two consecutive performance appraisals by the Executive Director or a Director or his or her designee of approximately three months each and receipt of notification that the employee has been certified in the position to which appointed. At any time during this probationary period, newly hired employees may be discharged without notice, cause or any right to hearing.

- 127 B) Certified Employees: Employees successfully completing a
 128 probationary period shall be appointed to certified status.
 129 Appointment to certified status shall be effective upon receipt of
 130 written notice from the Executive Director or his or her designee.
 131
- 132 C) Temporary Employees: Employees authorized by the Executive
 133 Director or a Director to perform duties and responsibilities on a
 134 temporary basis shall receive compensation at the designated rate
 135 of a temporary employment agency supplying the worker or as
 136 agreed to by the employee and the Executive Director.
 137
- 138 D) Acting Status in a Non-Executive Employee Position: An
 139 employee assigned to acting status for any position shall, at the
 140 Executive Director's or a Director's discretion, be paid in
 141 accordance with the salary range allocated to the position and the
 142 responsibilities incurred as a result of the acting assignment;
 143 provided, however, that payment shall not be lower than the
 144 employee's base salary immediately prior to the acting assignment.
 145 An employee removed from acting status shall be returned to the
 146 same or a similar position to the one held prior to the acting status
 147 appointment. The employee's salary shall be not less than his or
 148 her salary at the time he or she was appointed to the acting status.
 149
- 150 E) Acting Status in an Executive Employee Position: An employee
 151 assigned to acting status to an Executive Employee position
 152 classification shall only be appointed by the Board and shall follow
 153 the procedures set forth in subsection (b)(2)(D).
 154
- 155 F) Trainee Appointments: Employees appointed to a trainee position
 156 shall be promoted by the Director of the employee's organizational
 157 unit, subject to the concurrence of the Executive Director, to the
 158 permanent targeted title with no probationary period only after
 159 successful completion of the training period, which shall be a
 160 minimum of six months and shall not exceed 12 months.
 161 Employees appointed to trainee positions may be discharged at
 162 anytime prior to promotion without rights to appeal.
 163
- 164 3) Other Appointments: The following types of appointments shall be made
 165 only by the Board:
 166
- 167 A) Executive Employees: Executive Employees serve at the
 168 discretion of the Board and may be discharged or demoted by the
 169 Board at any time without notice, cause or any rights to a hearing.

170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185

B) Term Appointments: Directors and other employees who are appointed for ~~four year~~ terms of no longer than four years may be discharged at the end of their term without cause or any rights to a hearing. Sixty days prior to the expiration of the term appointment, the Director of Administrative Services shall serve a notice upon the appointee either in person or by certified mail, return receipt requested, at the employee's last address listed in the personnel file. Notice shall also be given to the Chair~~Chairman~~ of the Board and the Executive Director. The Chair~~Chairman~~ of the Board shall notify the employee 30 days prior to the expiration of the term of the intention to renew or not renew the appointment.

c) Contractual Employees: Contractual employees have no rights under this Part.

(Source: Amended at 46 Ill. Reg. _____, effective _____)